

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DYRELL W. JONES,

No. C-13-2722 EMC (pr)

Plaintiff,

v.

SCHEDULING ORDERCOUNTY OF CONTRA COSTA; *et al.*,Defendants.

Dyrell W. Jones, an inmate at the Santa Rita Jail, filed this *pro se* civil rights action under 42 U.S.C. § 1983, complaining of conditions of confinement at the jail. The Court ordered service of process on several defendants and set a briefing schedule for dispositive motions. Defense counsel recently sent a letter to the Court indicating that Defendants are now of the opinion that this case cannot be resolved by summary judgment in its entirety and that further discovery is needed before some can file dispositive motions. Docket # 29. Accordingly, the Court vacates the briefing schedule for dispositive motions set in the order of service, and sets the following new briefing schedule to allow reasonable time for Defendants to conduct discovery before filing a dispositive motion:

1. No later than **February 6, 2015**, Defendants must file and serve a motion for summary judgment or other dispositive motion. If Defendants are of the opinion that this case cannot be resolved by summary judgment, Defendants must so inform the Court prior to the date the motion is due *so that a trial date may be set*. If Defendants file a motion for summary judgment,

1 Defendants must provide to Plaintiff a new *Rand* notice regarding summary judgment procedures at
2 the time they file such a motion. *See Woods v. Carey*, 684 F.3d 934, 939 (9th Cir. 2012).


3 2. Plaintiff's opposition to the summary judgment or other dispositive motion
4 must be filed with the Court and served upon Defendants no later than **March 6, 2015**. Plaintiff
5 must bear in mind the notice and warnings regarding summary judgment provided in the order of
6 service as he prepares his opposition to any motion for summary judgment.

7 3. If Defendants wish to file a reply brief, the reply brief must be filed and
8 served no later than **March 20, 2015**.

9 In the order of service, the Court directed Plaintiff to provide the true name of the defendant
10 he identified as an "unknown triage nurse" no later than November 1, 2014, or that person would be
11 dismissed from this action. The deadline has passed and Plaintiff has not provided that name.
12 Accordingly, the "unknown triage nurse" is dismissed from this action without prejudice to Plaintiff
13 filing a new action against him or her if he ever learns that person's name.

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15 IT IS SO ORDERED.

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17 Dated: November 12, 2014

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EDWARD M. CHEN
United States District Judge